

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the annexed Declarations of James P. Rouhandeh, Damien Marshall, and Felix Sotomayor and the exhibits thereto, and all the pleadings and proceedings herein, defendants Morgan Stanley & Co. Incorporated; Morgan Stanley & Co. International Limited; The Bank of New York Mellon; QSR Management Limited; Moody's Investors Service, Inc.; Moody's Investors Service Ltd.; and The McGraw Hill Companies, Inc. and its unincorporated divisions Standard & Poor's Ratings Services (collectively, the "Defendants") hereby move this Court before the Honorable Shira A. Scheindlin, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, Courtroom 15C, New York, New York 10007, for an order, pursuant to Federal Rule of Civil Procedure 12(b)(1), dismissing the complaint in the above-captioned action and granting such further relief as the Court deems proper and just.

The Defendants respectfully request oral argument on this motion.

Dated: November 5, 2008  
New York, New York

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**CERTIFICATE OF SERVICE**

I, Antonio J. Perez-Marques, an attorney admitted to practice in this District, hereby certify that on November 5, 2008, I caused a true copy of the foregoing Notice of Motion to Dismiss and the accompanying Memorandum of Law to be served on the individuals listed below by the court's ECF system, or by electronic mail where ECF service was not available.

Dated: New York, New York  
November 5, 2008

/s/ Antonio J. Perez-Marques  
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